

# CALFRESH (CF) PROGRAM

## REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

|  |  |  |                   |
|--|--|--|-------------------|
| 1. RESPONSE NEEDED DUE TO:   |  | 5. DATE OF REQUEST:  | NEED RESPONSE BY: |
| <input checked="" type="checkbox"/> Policy/Regulation Interpretation<br><input type="checkbox"/> QC<br><input type="checkbox"/> Fair Hearing<br><input type="checkbox"/> Other:  |  | 5/7/2013   | 5/14/2013         |
| 2. REQUESTOR NAME:   |  | 6. COUNTY/ORGANIZATION:  |                   |
| 3. PHONE NO.:  |  | Ventura County   |                   |
| 4. REGULATION CITE(S):   |  | 7. SUBJECT:  |                   |
| 63-502.145, 63-502.2(e)  |  | Veterans Retraining Assistance Program (VRAP) income                     |                   |
| 9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):   |  | 8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references)       |                   |
| Applicant provided an award letter from VA stating he has been awarded education benefits for an approved program of education or training under the Veterans Retraining Assistance Program (VRAP). Copy of the award letter attached. |  | NOTE: All requests must have a regulation cite(s) and/or a reference(s). |                   |
| Are these benefits counted as income for the household?  |  | 63-502.145; MPP 63-502.2(e); and MPP 63-502.2(e)(3)                      |                   |

### 10. REQUESTOR'S PROPOSED ANSWER:

VRAP benefits are earmarked by the VA to be used for payment of education. The recipient must verify monthly that they are attending school and will not pay courses not attended, courses that were withdrawn or completed courses in which a grade received does not count towards graduation. Based on this information we believe the funds are excluded for CalFresh. A copy of the award letter is also attached.

### 11. STATE POLICY RESPONSE (CFPB USE ONLY):

Yes. Per MPP 63-502.145 and 63-502.2(e), the recipient's award of VRAP benefits for educational or training purposes are excluded as unearned income since the lender has earmarked these funds to be used for allowable educational expenses. Per 63-502(e)(3), the county would also have to verify that the recipient is enrolled in a qualifying institution that provides secondary, post-secondary education or the equivalent of a post-secondary diploma, or a vocational education program.

### FOR CDSS USE

|                |                               |
|----------------|-------------------------------|
| DATE RECEIVED: | DATE RESPONDED TO COUNTY/ALJ: |
| 5-08-13        | June 7, 2013                  |

**CALFRESH (CF) PROGRAM  
REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)**

|   |  |                                       |
|---|--|---------------------------------------|
| 1. RESPONSE NEEDED DUE TO:<br><input checked="" type="checkbox"/> Policy/Regulation Interpretation<br><input type="checkbox"/> QC<br><input type="checkbox"/> Fair Hearing<br><input type="checkbox"/> Other: | 5. DATE OF REQUEST:<br><b>5/7/2013</b>   | NEED RESPONSE BY:<br><b>5/14/2013</b> |
| 2. REQUESTOR NAME:  | 6. COUNTY/ORGANIZATION:<br><b>Ventura County</b>   |                                       |
| 3. PHONE NO.:   | 7. SUBJECT:<br><b>Veterans Retraining Assistance Program (VRAP) income</b>   |                                       |
| 4. REGULATION CITE(S):<br><b>63-502.145, 63-502.2(e)</b>  | 8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i><br><b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b><br><b>63-502.145, 63-502.2(e); and MPP 63-502.2(e)(3)</b> |                                       |

63-502.145 Unearned income shall include, but not be limited to: Scholarships, educational grants, fellowships, deferred payment loans for education, veteran's educational benefits and the like which have not been excluded by federal statute, as specified in Section 63-502.2(l)(4) or through application of allowable exclusions as specified in Section 63-502.2(e).

63-502.2(e) Income Exclusions. Only the following items shall be excluded from household income: Educational assistance not otherwise excluded by federal statute as specified in Section 63-507(a)(6), to the extent that it is either earmarked by the lender, used for, or intended to be used for, allowable educational expenses at qualifying institutions as specified in Section 63-502.2(e)(3).

Resources and/or income shall be excluded if specifically excluded for Food Stamp purposes by any other federal law, including, but not limited to Financial educational assistance provided under any of the following:

- A program funded in whole or in part under Title IV of the Higher Education Act (P.L. 102-325);
- Bureau of Indian Affairs student assistance programs (P.L. 102-325);
- Title XIII, Indian Higher Education Programs, Tribal Development Student Assistance Revolving Loan Program (Tribal Development Student Assistance Act);
- To the extent specified in Section 63-502.2(e), the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 (20 U.S.C. 2301-2466d.).